

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 303 of 1999

Allahabad this the 16th day of April, 2002

Hon'ble Mr.C.S. Chadha, Member (A)
Hon'ble Mr.A.K. Bhatnagar, Member (J)

1. R.P. Singh Son of Shri Chedi Singh r/o House No.130/292, Ajitganj, Kanpur.
2. K.N. Mishra Son of Shri Ram Adhar Mishra r/o House No.401-C, Block, Shayam Nagar, Kanpur.
3. R.C. Sharma Son of Shri Gokul Sharma, r/o House No.260/9, Babu Purwa, Kanpur.
4. B.K. Sharma, Son of Shri R.C. Sharma, c/o House No.9-L, Dabauli, Kanpur.
5. R.C. Mishra Son of Shri R.P. Mishra, r/o House No.LIG-27, Barra Bhag-5, Kanpur.
6. Bideshi Prasad Son of Shri Mangrī Prasad, R/o House No.12/1, Gwal Toli, Kanpur.
7. Mahattma Singh Son of Shri Kalpu Singh r/o House No.M.T.180, Barra Bhag-5, Kanpur.
8. R.N. Singh son of Shri Gopal Singh Chauhan r/o House No.128/184-A, Yashoda Nagar, Kanpur.
9. Radhey Lal son of Shri Gajadhar Prasad, r/o House No.428-A, Yashoda Nagar, Kanpur.

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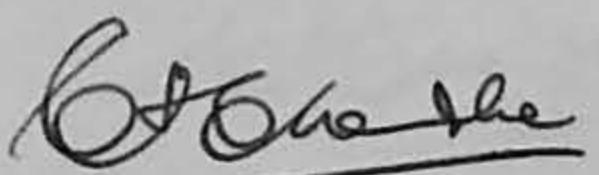
10. Abdul Rahman Son of Shri Inayatullah r/o House No.131/370-A, Begum Purwa, Kanpur.
11. Babu Lal Son of Shri Jagai r/o House No.H-8 Hording Road, Cantt. Kanpur.
12. Sheo Lal Son of Shri Sahdeo Prasad r/o House No.167/3, Rail Bazar, Kanpur.
13. Jagdeo Prasad Son of Shri Badli r/o Officer Mess No.7, Air Force Servant Quarter, Kanpur Cantt.
14. Prem Sagar Son of Shri Chhabil Das r/o House No.92, Type III Kendranchal Colony, Kanpur.
15. Jagdish Narain son of Shri Putti Lal r/o Bhagwant Totia c/o Sheo Balak Yadav, Shyam Nagar, Kanpur.
16. Roop Narain, son of Shri Nand Lal r/o House No.341-G Sheo Katra, Kanpur.
17. Ram Prasad Son of Shri Ujager Pal r/o House No.1031, W1, Saket Nagar, Kanpur.
18. Bholamal Son of Shri Hasumal r/o House No.82/5 Block No.9, Govind Nagar, Kanpur.
19. Madan Lal son of Shri Wazir Chand r/o House No.D-/72, Govind Nagar, Kanpur.
20. Nem Chand Son of Shri Putti Lal r/o Plot No. 18 Sanjiv Nagar, Ahirwan, G.T. Road, Kanpur.
21. Ram Lal son of Shri Beeser r/o House No.130/ 213, Beghai, Kanpur.
22. Ram Ashrey Son of Shri Bhagelu, r/o House No. 133/753, Naya Purwa, Kanpur.

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23. Hari Nath Son of Shri Chandrika r/o House No. 193/8, Vijay Nagar, Kanpur.
24. Basant Lal Son of Shri Bhagwan Din R/o House No. 63/42, Harbans Mohal, Kanpur.
25. Ram Chandra Son of Shri Chhanga Ram, r/o House No. 83-A/82, Juhi Narain Purwa, Khurd, Kanpur.
26. Raghuraj Singh Son of Shri D.N. Singh, R/o Kalyanpur Khurd, Kanpur.
27. Kishori Lal Son of Shri Munna Lal r/o House No. 130/8-B, Begahi Bhatta, Kanpur.
28. M.S. Dixit Son of Shri Surya Bali Dixit r/o House No. 825, Bishwa Bank Colony, Kanpur.
29. Mahabir Prasad Son of Shri Ram Yadav r/o House No. 335, Faithfulganj, Kanpur.
30. Ram Achal Son of Shri Sukh Raj, r/o House No. 1347, Kachchi Basti, Near DBS College, Kanpur.
31. H.B.L. Pandey Son of Shri Mussadi Lal Pandey r/o House No. 199/6, Shyam Nagar, Naubasta, Kanpur.
32. Ram Swarup Son of Shri Mohan Lal r/o House No. 83-A/106, Juhi, Kanpur.
33. S.C. Pal Son of Shri F.C. Pal r/o House No. F-21, Shanti Nagar, Kanpur.
34. Ram Kishan Tiwari, Son of Shri Bal Krishan r/o House No. 78-E/17, Dabauli, Bhag-II, Kanpur.
35. Surya Vali Son of Shri Chunni Lal r/o House No. 10/29, Khalasi Line, Kanpur.

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36. B.P. Awasthi Son of Shri Ram Pyare Awasthi
Village Harbashpur, P.O. Bidhnu, Kanpur.
37. Shanker Lal Son of Shri Gurdeen R/o House
No.241-C, Shyam Nagar, P.A.C. Road, Kanpur.
38. Sohan Lal Son of Shri Ram Narain Dixit, r/o
House No.126/31-R Block, Govind Nagar, Kanpur.
39. Radhey Shyam Son of Shri Har Prasad r/o House
No.184, Kendranchal Colony, Naubasta, Kanpur.
40. Ban Bahadur Son of Shri Dil Bahadur r/o House
No.35, Sujatganj, Kanpur.
41. L.B. Tripathi Son of Shri Purshottam Lal r/o
House No.99/6, Babu Purwa, Colony Kanpur.
Place of employment - C.O.D.
(as Marker) Kanpur Applicants
By Advocate Shri Yar Mohd.

Versus

1. Union of India through the Secretary, Ministry
of Defence, New Delhi.
2. Director General of Ordnance Services Master
General of Ordnance Branch Army Headquarters,
DHQ, PO, New Delhi.
3. Commandant, Central Ordnance Depot, Kanpur.

Respondents

By Advocate Shri S.C. Tripathi

O R D E R (Oral)

By Hon'ble Mr.C.S. Chadha, Member (A)

The case of the applicants is that they
are working as Markers in the Central Ordnance Depot
(for short C.O.D.) and earlier they were drawing ..pg.5/-

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the same salary as Painters and ~~the~~ Decorators upto the enforcement of ^{the} ~~the~~ IIIrd Pay Commission recommendations. However, by virtue of the recommendation of the Expert Classification Committee in the year 1996, the pay scale of Decorators and Painters were made higher than that of the Markers. The argument on behalf of the applicant is that nature of duties and the condition of eligibility for appointment for Markers ~~was~~ as well as Painters and Decorators are the same and on the principle of equal pay for equal work, they should be given the same pay scale. Learned counsel for the applicants has pointed out that a committee under the Chairmanship of S.A.Zameel visited the Ordnance Factories and gave ~~its~~ ^{the} recommendation in ^{this} regard by ~~the~~ ^a report, in the year 1994, for consideration of the higher authorities. In para-14 thereof the Committee felt that Painters, Decorators and Markers were carrying out identical jobs. We are also informed that based on these recommendations a report has also been sent by the Army Headquarters to the Government of India in the year 1997, but ^{no} decision has yet been taken on the recommendations. Learned counsel for the respondents also admits that such recommendation has been pending decision of the Government since 1997.

2. In view of the above, we feel that interests of justice would be met, if the Government, which is

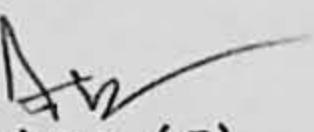
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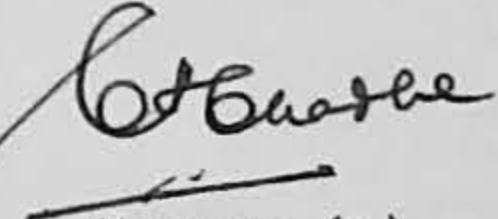
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the competent authority to decide the issue of pay scales, takes a decision in the matter within filing of a period of 6 months from the date of this order.

3. The O.A. is, therefore, disposed of with a direction to the respondent no. 1 to take a decision on the fresh representation that applicants may file in addition to the earlier representations and the recommendation sent by the Army Headquarters, by a reasoned and speaking order within a period of six months from the date of receipt of this order. No order as to costs.


Member (J)


Member (A)

/M.M./